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UNCLAS ABUJA 002106

SIPDIS

SENSITIVE BUT UNCLASSIFIED

NOFORN

FOR DRL (TOMLYANOVICH), AF/W (CUNDIFF) AND AF/RA

E.O. 12958: N/A

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SUBJECT: NIGERIA: POST RESPONSE TO IRF EXECUTIVE SUMMARY

SBU/NOFORN -- ENTIRE TEXT.

11. Mission strongly disagrees with some of the statements made in the draft IRF Executive Summary on Nigeria emailed to Post. In the interest of accuracy, we suggest replacing the text on pages 12 and 13 with the following:

"While the violence of early 2000 was not repeated during the reporting period, relations between Christians and Muslims remained uneasy and even tense in some parts of Nigeria. While most of the conflict during the reporting period was inter-ethnic rather than inter-religious in origin, the return of criminal Shari'a law exacerbated tensions in some areas. Nine Northern states followed Zamfara State's lead and re-introduced most elements of criminal Shari'a. Shari'a law by definition only applies to Muslims, but some Northern Christians are concerned that their religious freedoms may be infringed by this return to Islamic criminal law. In some states Shari'a criminal jurisdiction over Muslims is mandatory, while in others Muslims may elect to have their cases tried in common-law courts. This represents a change from past practice. Previously, Shari'a courts only heard Muslims' cases involving family and civil law matters. During the reporting period, there were episodic minor conflicts between Christians and Muslims in several States considering the re-introduction of criminal Shari'a.

12. COMMENT: It is materially inaccurate to assert that there "was a deterioration of respect for religious freedom during the period covered by this report." Such a sentence detracts from the important information contained in the report. Many Nigerians who could benefit from reading and absorbing that information will be so put off by the first sentence that they might dismiss the entire report. That would be unfortunate. The Mission understands that many Christians fear and resent the implementation of criminal Shari'a law, just as many Muslims resent the fact that British authorities significantly diluted it during the colonial period. For them, the return of criminal Shari'a law restores their lost religious freedom. One person's freedom can be another person's shackles in a society that takes a zero-sum approach to politics. We would further the cause of religious freedom far more effectively by acknowledging that these issues are difficult in any multi-ethnic, multi-religious society, most particularly in one grappling with political transition. Appearing to take sides with Nigeria's Christians creates a significant risk of harder lines on both sides.

Jeter